
PRELIMINARY DRAFT
No. 3255

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2009 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 9-29; IC 16-18-2-143; IC 16-21-10; IC 33-37.

Synopsis: Trauma care hospital fund. Creates the trauma care hospital fund to be administered by the state department of health to assist in funding a trauma care system in Indiana. Includes funds from additional court fees for certain motor vehicle violations, registration fees, and driver's license fees.

Effective: July 1, 2009.



A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-29-5-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.7. This section applies after December 31, 2009.**

(b) In addition to the fees to be collected for the registration of a vehicle as set forth in sections 1, 2, 3, 5, 7, 8, 9, 10, 18, 28, 30, and 31 of this chapter, the bureau shall collect an additional fee of one dollar (\$1) at the time of the registration.

(c) The fee collected under subsection (b) shall be deposited into the trauma care hospital fund under IC 16-21-10.

SECTION 2. IC 9-29-5-1, AS AMENDED BY P.L.97-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1. (a) Until January 1, 2010, the annual registration fee for a passenger motor vehicle is twelve dollars and thirty cents (\$12.30), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.**

(b) Beginning January 1, 2010, the annual registration fee for a passenger motor vehicle is thirteen dollars and thirty cents (\$13.30), including the fees set forth in sections 0.5(b) and 0.7(b) of this chapter.

SECTION 3. IC 9-29-5-2, AS AMENDED BY P.L.97-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 2. (a) This subsection expires December 31, 2008. The fee for the registration of a motorcycle is twenty-seven dollars (\$27). The revenue from this fee shall be allocated as follows:**

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Ten dollars (\$10) to the spinal cord and brain injury fund established by IC 16-41-42.2-3.

(4) The balance to the state general fund for credit to the motor



~~vehicle highway account.~~

~~(b)~~ (a) This subsection applies after December 31, 2008, and expires December 31, 2009. The fee for the registration of a motorcycle is seventeen dollars and thirty cents (\$17.30). The revenue from this fee shall be allocated as follows:

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

(b) This subsection applies after December 31, 2009. The fee for the registration of a motorcycle is eighteen dollars and thirty cents (\$18.30). The revenue from this fee shall be allocated as follows:

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) One dollar (\$1) to the trauma care hospital fund under IC 16-21-10, as provided in section 0.7 of this chapter.

(5) The balance to the state general fund for credit to the motor vehicle highway account.

SECTION 4. IC 9-29-5-3, AS AMENDED BY P.L.97-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) Except as otherwise provided in this chapter, the annual registration fee for:

(1) a truck subject to registration under IC 9-18; and

(2) a tractor not used with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes;

is as follows:

| Declared Gross Weight (Pounds) | | Fee |
|--------------------------------|-----------------------|-------|
| Greater than | Equal to or less than | |
| 0 | 7,000 | \$ 20 |
| 7,000 | 9,000 | 40 |
| 9,000 | 10,000 | 70 |
| 10,000 | 11,000 | 75 |
| 11,000 | 16,000 | 135 |
| 16,000 | 20,000 | 175 |
| 20,000 | 23,000 | 235 |
| 23,000 | 26,000 | 235 |



| | | | |
|---|--------|--------|-----|
| 1 | 26,000 | 30,000 | 295 |
| 2 | 30,000 | 36,000 | 413 |
| 3 | 36,000 | 42,000 | 506 |
| 4 | 42,000 | 48,000 | 627 |
| 5 | 48,000 | 54,000 | 730 |
| 6 | 54,000 | 60,000 | 810 |
| 7 | 60,000 | 66,000 | 858 |
| 8 | 66,000 | | 956 |

(b) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of:

(1) thirty cents (\$0.30) shall be collected after December 31, 2008, for a truck greater than zero (0) pounds declared gross weight but equal to or less than ten thousand (10,000) pounds declared gross weight; and

(2) one dollar (\$1) shall be collected after December 31, 2009, as set forth in section 0.7(b) of this chapter.

SECTION 5. IC 9-29-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) Except as otherwise provided in this chapter, the annual registration fee for a tractor used with a semitrailer is as follows, based on the declared gross weight of the tractor semitrailer combination:

| Declared Gross Weight (Pounds) | | Fee |
|--------------------------------|-----------------------|--------|
| Greater than | Equal to or less than | |
| 0 | 20,000 | \$ 170 |
| 20,000 | 26,000 | 310 |
| 26,000 | 30,000 | 390 |
| 30,000 | 36,000 | 495 |
| 36,000 | 42,000 | 545 |
| 42,000 | 48,000 | 660 |
| 48,000 | 54,000 | 715 |
| 54,000 | 60,000 | 800 |
| 60,000 | 66,000 | 865 |
| 66,000 | 72,000 | 975 |
| 72,000 | 74,000 | 1,050 |
| 74,000 | 76,000 | 1,165 |
| 76,000 | 78,000 | 1,240 |
| 78,000 | | 1,350 |

(b) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of one dollar (\$1) shall be collected after December 31, 2009, as set forth in section 0.7(b) of this chapter.

SECTION 6. IC 9-29-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. Until January 1, 2010, the annual registration fee for a school bus is twenty dollars (\$20).

(b) Beginning January 1, 2010, the annual registration fee for a school bus is twenty-one dollars (\$21), including the additional



1 **registration fee set forth in section 0.7 of this chapter.**

2 SECTION 7. IC 9-29-5-9 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) As used in this section,
4 "church bus" means a bus that is:

- 5 (1) owned and operated by a religious or nonprofit youth
6 organization; and
7 (2) used to transport persons to religious services or used for the
8 benefit of the members of the religious or nonprofit youth
9 organization.

10 (b) **Until January 1, 2010**, the annual registration fee for a church
11 bus is twenty dollars (\$20).

12 (c) **Beginning January 1, 2010, the annual registration fee for a**
13 **church bus is twenty-one dollars (\$21), including the additional**
14 **registration fee set forth in section 0.7 of this chapter.**

15 SECTION 8. IC 9-29-5-10 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) As used in this
17 section, "other bus" means a bus that is not a church bus, an intercity
18 bus, an intracity bus, or a school bus.

19 (b) **Until January 1, 2010**, the annual registration fee for any other
20 bus is thirty dollars (\$30).

21 (c) **Beginning January 1, 2010, the annual registration fee for**
22 **any other bus is thirty-one dollars (\$31), including the additional**
23 **registration fee set forth in section 0.7 of this chapter.**

24 SECTION 9. IC 9-29-5-18 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 18. (a) **Until January**
26 **1, 2010**, the fee for a recreational vehicle is twenty dollars (\$20).

27 (b) **Beginning January 1, 2010, the fee for a recreational vehicle**
28 **is twenty-one dollars (\$21), including the additional registration fee**
29 **set forth in section 0.7 of this chapter.**

30 SECTION 10. IC 9-29-5-28, AS AMENDED BY P.L.79-2006,
31 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2009]: Sec. 28. (a) **Until January 1, 2010, and** except as
33 provided in ~~IC 9-29-12-2.5(c)~~ **IC 9-18-12-2.5(e)** and section 32.5 of
34 this chapter, the registration fee for an antique motor vehicle under
35 IC 9-18-12 is twelve dollars (\$12).

36 (b) **Beginning January 1, 2010, and except as provided in**
37 **IC 9-18-12-2.5(e) and section 32.5 of this chapter, the registration**
38 **fee for an antique motor vehicle under IC 9-18-12 is thirteen**
39 **dollars (\$13) and includes the additional registration fee set forth**
40 **in section 0.7 of this chapter.**

41 SECTION 11. IC 9-29-5-30 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 30. (a) **Until January**
43 **1, 2010**, the registration fee for a recovery vehicle under IC 9-18-13 is
44 as follows:

- 45 (1) Class A recovery vehicle, five hundred dollars (\$500).
46 (2) Class B recovery vehicle, seventy-five dollars (\$75).



(b) Beginning January 1, 2010, the registration fee for a recovery vehicle under IC 9-18-13 is as follows:

(1) Class A recovery vehicle, five hundred one dollars (\$501).

(2) Class B recovery vehicle, seventy-six dollars (\$76).

The fees specified in this subsection include the additional registration fee set forth in section 0.7 of this chapter.

~~(b)~~ (c) A vehicle registered under IC 9-18-13 is not subject to any other registration fee under IC 9-18. However, a vehicle registered under IC 9-18-13 is subject to a tax or service charge imposed on a vehicle registered under this title.

SECTION 12. IC 9-29-5-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 31. (a) **Until January 1, 2010**, the registration fee for a military vehicle under IC 9-18-14 is twelve dollars (\$12). **Beginning January 1, 2010, the registration fee for a military vehicle under IC 9-18-14 is thirteen dollars (\$13), and includes the additional registration fee set forth in section 0.7 of this chapter.**

(b) The bureau shall collect the fee in subsection (a) in addition to any excise tax imposed under IC 6-6-5.

SECTION 13. IC 9-29-9-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. (a) **In addition to the fees to be collected for a license under sections 2, 4, 5, 6, 7, 8, and 9 of this chapter, the bureau shall collect an additional license fee of one dollar (\$1) per year at the time the license is issued.**

(b) **The fee collected under subsection (a) shall be deposited into the trauma care hospital fund under IC 16-21-10.**

SECTION 14. IC 9-29-9-2, AS AMENDED BY P.L.156-2006, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The fee for an operator's license issued under IC 9-24-3 or renewed under IC 9-24-12 to an individual who is:

(1) less than seventy-five (75) years of age is ~~nine~~ **fifteen** dollars ~~(\$9); and (\$15);~~

(2) at least seventy-five (75) years of age **but less than eighty-five (85) years of age** is ~~six~~ **nine** dollars ~~(\$6); (\$9); and~~

(3) at least eighty-five (85) years of age is eight dollars (\$8).

(b) After June 30, 2006, the fee for a probationary license issued under IC 9-24-11-3(d) is ~~six~~ **eleven** dollars ~~(\$6); (\$11).~~

(c) **The fees specified in subsection (a) and subsection (b) include the additional fee required by section 0.5 of this chapter.**

SECTION 15. IC 9-29-9-4, AS AMENDED BY P.L.1-2007, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) The fee for a chauffeur's license issued under IC 9-24-4 or renewed under IC 9-24-12 to an individual who is:

(1) at least **eighty-five (85) years of age** is **ten dollars (\$10);**

(2) seventy-five (75) years of age **but less than eighty-five years**



of age is ~~eight eleven~~ dollars ~~(\$8); and (\$11); and~~
~~(2) (3)~~ less than seventy-five (75) years of age is ~~twelve eighteen~~
 dollars ~~(\$12); (\$18).~~

(b) The fees specified in subsection (a) includes the additional fee required by section 0.5 of this chapter.

SECTION 16. IC 9-29-9-5, AS AMENDED BY P.L.206-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. **(a)** The fee for a public passenger chauffeur's license issued under IC 9-24-5 is ~~eight twelve~~ dollars ~~(\$8); (\$12).~~

(b) The fee specified in subsection (a) include the additional fee required by section 0.5 of this chapter.

SECTION 17. IC 9-29-9-6, AS AMENDED BY P.L.1-2007, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. **(a)** The fee for a motorcycle operator's license issued under IC 9-24-8 or renewed under IC 9-24-12 to an individual who is:

- (1) **at least eighty-five (85) years of age is eight dollars (\$8);**
- (2) **at least seventy-five (75) years of age but less than eighty-five (85) years of age is six nine** dollars ~~(\$6); (\$9); and~~
- ~~(2) (3)~~ **less than seventy-five (75) years of age is nine fifteen** dollars ~~(\$9); (\$15).~~

(b) The fees specified in subsection (a) include the additional fee required by section 0.5 of this chapter.

SECTION 18. IC 9-29-9-7, AS AMENDED BY P.L.1-2007, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. **(a)** The fee for validation of a motorcycle operator endorsement under IC 9-24-8-4 and IC 9-24-12-7(c) of an operator's license issued to an individual who is:

- (1) **at least eighty-five (85) years of age is five dollars (\$5);**
- (2) **at least seventy-five (75) years of age but less than eighty-five (85) years of age is three six** dollars ~~(\$3); (\$6); and~~
- (2) **less than seventy-five (75) years of age is four ten** dollars and fifty cents ~~(\$4.50); (\$10.50).~~

(b) The fees specified in subsection (a) include the additional fee required by section 0.5 of this chapter.

SECTION 19. IC 9-29-9-8, AS AMENDED BY P.L.1-2007, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. **(a)** The fee for validation of a motorcycle operator endorsement under IC 9-24-8-4 and IC 9-24-12-7(c) of a chauffeur's license issued to an individual who is:

- (1) **at least eighty-five (85) years of age is five dollars (\$5);**
- (2) **at least seventy-five (75) years of age but less than eighty-five (85) years of age is three six** dollars ~~(\$3); (\$6); and~~
- ~~(2) (3)~~ **less than seventy-five (75) years of age is four ten** dollars and fifty cents ~~(\$4.50); (\$10.50).~~

(b) The fees specified in subsection (a) include the additional fee



1 **required by section 0.5 of this chapter.**

2 SECTION 20. IC 9-29-9-9 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) The fee for a
4 motorcycle operator endorsement of a public passenger chauffeur's
5 license is ~~one dollar~~ **five dollars** and fifty cents (~~\$1.50~~): **(\$5.50).**

6 **(b) The fee specified in subsection (a) includes the additional fee**
7 **required by section 0.5 of this chapter.**

8 SECTION 21. IC 16-18-2-143, AS AMENDED BY P.L.102-2008,
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2009]: Sec. 143. (a) **"Fund", for purposes of IC 16-21-10,**
11 **has the meaning set forth in IC 16-21-10-1.**

12 ~~(a)~~ (b) "Fund", for purposes of IC 16-26-2, has the meaning set forth
13 in IC 16-26-2-2.

14 ~~(b)~~ (c) "Fund", for purposes of IC 16-31-8.5, has the meaning set
15 forth in IC 16-31-8.5-2.

16 ~~(c)~~ (d) "Fund", for purposes of IC 16-41-39.4, refers to the
17 childhood lead poisoning prevention fund established by
18 IC 16-41-39.4-3.1.

19 ~~(d)~~ (e) "Fund", for purposes of IC 16-46-5, has the meaning set forth
20 in IC 16-46-5-3.

21 ~~(e)~~ (f) "Fund", for purposes of IC 16-46-12, has the meaning set
22 forth in IC 16-46-12-1.

23 ~~(f)~~ (g) "Fund", for purposes of IC 16-41-42.2, has the meaning set
24 forth in IC 16-41-42.2-2.

25 SECTION 22. IC 16-21-10 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2009]:

28 **Chapter 10. Trauma Care Hospital Fund**

29 **Sec. 1. As used in this chapter, "fund" refers to the trauma care**
30 **hospital fund established by section 2 of this chapter.**

31 **Sec. 2. (a) The trauma care hospital fund is established to assist**
32 **in funding a trauma care system to prevent injuries, save lives, and**
33 **improve the care and outcome of individuals injured in Indiana.**

34 **(b) The fund shall be administered by the state department.**

35 **(c) The fund consists of:**

36 **(1) appropriations;**

37 **(2) gifts and bequests;**

38 **(3) fees deposited in the fund under:**

39 **(A) IC 9-29-5-0.7;**

40 **(B) IC 9-29-9-0.5; and**

41 **(C) IC 33-37-7-2; and**

42 **(4) grants received from the federal government or private**
43 **sources.**

44 **(d) The expenses of administering the fund shall be paid from**
45 **money in the fund.**

46 **(e) The treasurer of state shall invest the money in the fund not**



1 currently needed to meet the obligations of the fund in the same
2 manner as other public money may be invested.

3 (f) Money in the fund at the end of the state fiscal year does not
4 revert to the state general fund.

5 Sec. 3. The fund is to be used to establish and maintain an
6 appropriate level of trauma care access in Indiana.

7 Sec. 4. (a) The state department shall make quarterly payments
8 from the fund to a hospital with a Level 1 or a Level 2 trauma care
9 center. The state department shall determine the amount to be paid
10 to a trauma care center hospital described in this section, factoring
11 in the following:

12 (1) Whether the hospital is designated as a Level 1 or a Level
13 2 trauma care center.

14 (2) The number of trauma care patients provided care by the
15 trauma care center in the previous quarter.

16 (b) The state department may determine whether to make a
17 payment from the fund to a hospital that is attempting to obtain
18 Level 1 or Level 2 trauma care center designation based on
19 whether there is an unmet trauma care need in the area of Indiana
20 where the hospital is located.

21 Sec. 5. The state department shall adopt rules under IC 4-22-2
22 to implement this chapter.

23 SECTION 23. IC 33-37-4-2, AS AMENDED BY P.L.176-2005,
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2009]: Sec. 2. (a) Except as provided in subsections (d) and
26 (e), for each action that results in a judgment:

27 (1) for a violation constituting an infraction; or

28 (2) for a violation of an ordinance of a municipal corporation (as
29 defined in IC 36-1-2-10);

30 the clerk shall collect from the defendant an infraction or ordinance
31 violation costs fee of seventy dollars (\$70).

32 (b) In addition to the infraction or ordinance violation costs fee
33 collected under this section, the clerk shall collect from the defendant
34 the following fees, if they are required under IC 33-37-5:

35 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
36 IC 33-37-5-4).

37 (2) An alcohol and drug services program user fee
38 (IC 33-37-5-8(b)).

39 (3) A law enforcement continuing education program fee
40 (IC 33-37-5-8(c)).

41 (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).

42 (5) A highway work zone fee (IC 33-37-5-14).

43 (6) A deferred prosecution fee (IC 33-37-5-17).

44 (7) A jury fee (IC 33-37-5-19).

45 (8) A document storage fee (IC 33-37-5-20).

46 (9) An automated record keeping fee (IC 33-37-5-21).



- (10) A late payment fee (IC 33-37-5-22).
- (11) A public defense administration fee (IC 33-37-5-21.2).
- (12) A judicial insurance adjustment fee (IC 33-37-5-25).
- (13) A judicial salaries fee (IC 33-37-5-26).
- (14) A court administration fee (IC 33-37-5-27).
- (15) A DNA sample processing fee (IC 33-37-5-26.2).
- (16) A speeding violation fee (IC 33-37-5-30).**
- (17) A passenger restraint violation fee (IC 33-37-5-31).**
- (18) A driving while a license is suspended fee (IC 33-27-5-32).**
- (19) An operating while intoxicated and endangering a person fee (IC 33-37-5-33).**
- (20) A disregard for stop sign fee (IC 33-37-5-34).**
- (21) A disregard of traffic signal fee (IC 33-37-5-35).**
- (22) An operating while intoxicated fee (IC 33-37-5-36).**
- (23) A child restraint violation fee (IC 33-37-5-37).**
- (24) A disregard of traffic control device fee (IC 33-37-5-38).**
- (25) A prior operating while intoxicated fee (IC 33-37-5-39).**
- (26) A following too closely fee (IC 33-37-5-40).**
- (27) A reckless driving fee (IC 33-37-5-41).**
- (28) An unsafe lane movement fee (IC 33-37-5-42).**
- (29) A yield sign violation fee (IC 33-37-5-43).**
- (30) An improper turn at intersection fee (IC 33-37-5-44).**
- (31) A driving left of center fee (IC 33-37-5-45).**
- (32) An offense relating to controlled substances while using a motor vehicle fee (IC 33-37-5-46).**
- (33) A passing in a no passing zone fee (IC 33-37-5-47).**
- (34) A driving on the wrong side of the road fee (IC 33-37-5-48).**
- (35) A driving the wrong way on a one-way road fee (IC 33-37-5-49).**
- (36) An improper passing fee (IC 33-37-5-50).**
- (37) An open container fee (IC 33-37-5-51).**
- (38) An improper passing to the left of the center line fee (IC 33-37-5-52).**
- (39) An operating a vehicle with a controlled substance fee (IC 33-37-5-53).**
- (40) An operating a vehicle while intoxicated resulting in injury fee (IC 33-37-5-54).**
- (41) A failure to stop at an accident fee (IC 33-37-5-55).**
- (42) A zero tolerance for individuals under the age of twenty-one (21) who drive under the influence fee (IC 33-37-5-56).**

(c) The clerk shall transfer to the county auditor or fiscal officer of the municipal corporation the following fees, not later than thirty (30) days after the fees are collected:

- (1) The alcohol and drug services program user fee



(IC 33-37-5-8(b)).

(2) The law enforcement continuing education program fee (IC 33-37-5-8(c)).

(3) The deferral program fee (subsection (e)).

The auditor or fiscal officer shall deposit the fees in the user fee fund established under IC 33-37-8.

(d) The defendant is not liable for any ordinance violation costs fee in an action if all the following apply:

(1) The defendant was charged with an ordinance violation subject to IC 33-36.

(2) The defendant denied the violation under IC 33-36-3.

(3) Proceedings in court against the defendant were initiated under IC 34-28-5 (or IC 34-4-32 before its repeal).

(4) The defendant was tried and the court entered judgment for the defendant for the violation.

(e) Instead of the infraction or ordinance violation costs fee prescribed by subsection (a), the clerk shall collect a deferral program fee if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is:

(1) an initial user's fee not to exceed fifty-two dollars (\$52); and

(2) a monthly user's fee not to exceed ten dollars (\$10) for each month the person remains in the deferral program.

(f) The fees prescribed by this section are costs for purposes of IC 34-28-5-5 and may be collected from a defendant against whom judgment is entered. Any penalty assessed is in addition to costs.

SECTION 24. IC 33-37-5-30 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 30. (a) This section applies to infractions committed under IC 9-21-5.**

(b) The clerk shall collect a speeding violation fee of eighteen dollars (\$18) for each infraction committed under IC 9-21-5.

SECTION 25. IC 33-37-5-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 31. (a) This section applies to infractions committed under IC 9-19-10.**

(b) The clerk shall collect a passenger restraint violation fee of eighteen dollars (\$18) for each infraction committed under IC 9-19-10.

SECTION 26. IC 33-37-5-32 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 32. (a) This section applies to infractions committed under IC 9-24-19-1.**

(b) The clerk shall collect a driving while a license is suspended



1 fee of eighteen dollars (\$18) for each infraction committed under
2 IC 9-24-19-1.

3 SECTION 27. IC 33-37-5-33 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2009]: Sec. 33. (a) This section applies to
6 misdemeanors committed under IC 9-30-5-2.

7 (b) The clerk shall collect a driving while intoxicated and
8 endangering a person fee of eighteen dollars (\$18) for each
9 misdemeanor committed under IC 9-30-5-2.

10 SECTION 28. IC 33-37-5-34 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2009]: Sec. 34. (a) This section applies to
13 infractions committed under IC 9-21-8-32.

14 (b) The clerk shall collect a disregard for stop sign fee of
15 eighteen dollars (\$18) for each infraction committed under
16 IC 9-21-8-32.

17 SECTION 29. IC 33-37-5-35 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2009]: Sec. 35. (a) This section applies to
20 infractions committed under IC 9-21-3-7.

21 (b) The clerk shall collect a disregard of traffic signal fee of
22 eighteen dollars (\$18) for each infraction committed under
23 IC 9-21-3-7.

24 SECTION 30. IC 33-37-5-36 IS ADDED TO THE INDIANA
25 CODE AS A NEW SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2009]: Sec. 36. (a) This section applies to
27 misdemeanors committed under IC 9-30-5-1.

28 (b) The clerk shall collect a driving while intoxicated fee of
29 eighteen dollars (\$18) for each misdemeanor committed under
30 IC 9-30-5-1.

31 SECTION 31. IC 33-37-5-37 IS ADDED TO THE INDIANA
32 CODE AS A NEW SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2009]: Sec. 37. (a) This section applies to
34 infractions committed under IC 9-19-11-2.

35 (b) The clerk shall collect a child restraint violation fee of
36 eighteen dollars (\$18) for each infraction committed under
37 IC 9-19-11-2.

38 SECTION 32. IC 33-37-5-38 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2009]: Sec. 38. (a) This section applies to
41 infractions committed under IC 9-21-8-41.

42 (b) The clerk shall collect a disregard of traffic control device
43 fee of eighteen dollars (\$18) for each infraction committed under
44 IC 9-21-8-41.

45 SECTION 33. IC 33-37-5-39 IS ADDED TO THE INDIANA
46 CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2009]: **Sec. 39. (a) This section applies to felonies committed under IC 9-30-5-3.**

(b) The clerk shall collect a prior operating while intoxicated fee of eighteen dollars (\$18) for each felony committed under IC 9-30-5-3.

SECTION 34. IC 33-37-5-40 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 40. (a) This section applies to infractions committed under IC 9-21-8-14.**

(b) The clerk shall collect a following too closely fee of eighteen dollars (\$18) for each infraction committed under IC 9-21-8-14.

SECTION 35. IC 33-37-5-41 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 41. (a) This section applies to misdemeanors committed under IC 9-21-8-52.**

(b) The clerk shall collect a reckless driving fee of eighteen dollars (\$18) for each misdemeanor committed under IC 9-21-8-52.

SECTION 36. IC 33-37-5-42 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 42. (a) This section applies to infractions committed under IC 9-21-8-11.**

(b) The clerk shall collect an unsafe lane movement fee of eighteen dollars (\$18) for each infraction committed under IC 9-21-8-11.

SECTION 37. IC 33-37-5-43 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 43. (a) This section applies to infractions committed under IC 9-21-8-33.**

(b) The clerk shall collect a yield sign violation fee for each infraction committed under IC 9-21-8-33.

SECTION 38. IC 33-37-5-44 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 44. (a) This section applies to infractions committed under IC 9-21-8-21.**

(b) The clerk shall collect an improper turn at intersection fee of eighteen dollars (\$18) for each infraction committed under IC 9-21-8-21.

SECTION 39. IC 33-37-5-45 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 45. (a) This section applies to infractions committed under IC 9-21-8-4.**

(b) The clerk shall collect a driving left of center fee of eighteen dollars (\$18) for each infraction committed under IC 9-21-8-4.

SECTION 40. IC 33-37-5-46 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 46. (a) This section applies to**



1 **misdemeanors and felonies under IC 35-48-4-15.**

2 **(b) The clerk shall collect an offense relating to controlled**
 3 **substances while using a motor vehicle fee of eighteen dollars (\$18)**
 4 **for each misdemeanor or felony committed under IC 35-48-4-15.**

5 SECTION 41. IC 33-37-5-47 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2009]: **Sec. 47. (a) This section applies to**
 8 **infractions committed under IC 9-21-4-12.**

9 **(b) The clerk shall collect a passing in a no passing zone fee of**
 10 **eighteen dollars (\$18) for each infraction committed under**
 11 **IC 9-21-4-12.**

12 SECTION 42. IC 33-37-5-48 IS ADDED TO THE INDIANA
 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2009]: **Sec. 48. (a) This section applies to**
 15 **infractions committed under IC 9-21-8-2.**

16 **(b) The clerk shall collect a driving on the wrong side of the**
 17 **road fee of eighteen dollars (\$18) for each infraction committed**
 18 **under IC 9-21-8-2.**

19 SECTION 43. IC 33-37-5-49 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2009]: **Sec. 49. (a) This section applies to**
 22 **infractions committed under IC 9-21-8-9.**

23 **(b) The clerk shall collect a driving the wrong way on a one-way**
 24 **road fee of eighteen dollars (\$18) for each infraction committed**
 25 **under IC 9-21-8-9.**

26 SECTION 44. IC 33-37-5-50 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2009]: **Sec. 50. (a) This section applies to**
 29 **infractions committed under IC 9-21-8-5.**

30 **(b) The clerk shall collect an improper passing fee of eighteen**
 31 **dollars (\$18) for each infraction committed under IC 9-21-8-5.**

32 SECTION 45. IC 33-37-5-51 IS ADDED TO THE INDIANA
 33 CODE AS A NEW SECTION TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2009]: **Sec. 51. (a) This section applies to**
 35 **infractions committed under IC 9-30-15-3.**

36 **(b) The clerk shall collect an open container fee of eighteen**
 37 **dollars (\$18) for each infraction committed under IC 9-30-15-3.**

38 SECTION 46. IC 33-37-5-52 IS ADDED TO THE INDIANA
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2009]: **Sec. 52. (a) This section applies to**
 41 **infractions committed under IC 9-21-8-7.**

42 **(b) The clerk shall collect an improper passing to the left of the**
 43 **center line fee of eighteen dollars (\$18) for each infraction**
 44 **committed under IC 9-21-8-7.**

45 SECTION 47. IC 33-37-5-53 IS ADDED TO THE INDIANA
 46 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2009]: **Sec. 53. (a) This section applies to**
 2 **misdemeanors committed under IC 9-30-5-1(c).**

3 **(b) The clerk shall collect an operating a vehicle with a**
 4 **controlled substance fee of eighteen dollars (\$18) for each**
 5 **misdemeanor committed under IC 9-30-5-1(c).**

6 SECTION 48. IC 33-37-5-54 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2009]: **Sec. 54. (a) This section applies to**
 9 **felonies committed under IC 9-30-5-4.**

10 **(b) The clerk shall collect an operating a vehicle while**
 11 **intoxicated resulting in injury fee of eighteen dollars (\$18) for each**
 12 **felony committed under IC 9-30-5-4.**

13 SECTION 49. IC 33-37-5-55 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2009]: **Sec. 55. (a) This section applies to**
 16 **misdemeanors and felonies committed under IC 9-26-1-1(1).**

17 **(b) The clerk shall collect a failure to stop at an accident fee of**
 18 **eighteen dollars (\$18) for each misdemeanor or felony committed**
 19 **under IC 9-26-1-1(1).**

20 SECTION 50. IC 33-37-5-56 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2009]: **Sec. 56. (a) This section applies to**
 23 **infractions committed under IC 9-30-5-8.5.**

24 **(b) The clerk shall collect a zero tolerance for individuals under**
 25 **the age of twenty-one (21) who drive under the influence fee of**
 26 **eighteen dollars (\$18) for each infraction committed under**
 27 **IC 9-30-5-8.5.**

28 SECTION 51. IC 33-37-7-2, AS AMENDED BY P.L.122-2008,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2009]: **Sec. 2. (a) The clerk of a circuit court shall distribute**
 31 **semiannually to the auditor of state as the state share for deposit in the**
 32 **state general fund seventy percent (70%) of the amount of fees**
 33 **collected under the following:**

- 34 (1) IC 33-37-4-1(a) (criminal costs fees).
- 35 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 36 (3) IC 33-37-4-3(a) (juvenile costs fees).
- 37 (4) IC 33-37-4-4(a) (civil costs fees).
- 38 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 39 (6) IC 33-37-4-7(a) (probate costs fees).
- 40 (7) IC 33-37-5-17 (deferred prosecution fees).

41 **(b) The clerk of a circuit court shall distribute semiannually to the**
 42 **auditor of state for deposit in the state user fee fund established in**
 43 **IC 33-37-9-2 the following:**

- 44 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
- 45 interdiction, and correction fees collected under
- 46 IC 33-37-4-1(b)(5).



(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

(3) Fifty percent (50%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7).

(4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-37-4-1(b)(8).

(5) One hundred percent (100%) of the highway work zone fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

(6) One hundred percent (100%) of the safe schools fee collected under IC 33-37-5-18.

(7) One hundred percent (100%) of the automated record keeping fee (IC 33-37-5-21).

(c) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall distribute monthly to the county auditor fifty percent (50%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7). The county auditor shall deposit fees distributed by a clerk under this subsection into the county child advocacy fund established under IC 12-17-17.

(e) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees distributed by a clerk under this subsection as follows:

(1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.

(2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county auditor shall deposit all the fees in the county general fund.

(f) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the sexual assault victims assistance account established by IC 5-2-6-23(h) one hundred percent (100%) of the sexual assault victims assistance fees collected under IC 33-37-5-23.



(g) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the support and maintenance fees for cases designated as non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) collected under IC 33-37-5-6.

(2) The percentage share of the support and maintenance fees for cases designated as **Title** IV-D child support cases in ISETS collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation rate.

The county clerk shall distribute monthly to the office of the secretary of family and social services the percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS collected under IC 33-37-5-6 that is not reimbursable to the county at the applicable federal financial participation rate.

(h) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in the county general fund.

(2) One hundred percent (100%) of the small claims garnishee service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.

(i) This subsection does not apply to court administration fees collected in small claims actions filed in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The judicial salaries fees collected under IC 33-37-5-26.

(3) The DNA sample processing fees collected under IC 33-37-5-26.2.

(4) The court administration fees collected under IC 33-37-5-27.

(j) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.

(k) The proceeds of the service fee collected under IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as follows:

(1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or town court to the city or town



fiscal officer for deposit in the city or town general fund.

(l) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as follows:

(1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

(m) The clerk of a circuit court shall distribute monthly to the auditor of state:

(1) the speeding violation fee collected under IC 33-37-5-30;

(2) the passenger restraint violation fee collected under IC 33-37-5-31;

(3) a driving while a license is suspended fee under IC 33-37-5-32;

(4) an operating while intoxicated and endangering a person fee under IC 33-37-5-33;

(5) a disregard for stop sign fee under IC 33-37-5-34;

(6) a disregard of traffic signal fee under IC 33-37-5-35;

(7) an operating while intoxicated fee under IC 33-37-5-36;

(8) a child restraint violation fee under IC 33-37-5-37;

(9) a disregard of traffic control device fee under IC 33-37-5-38;

(10) a prior operating while intoxicated fee under IC 33-37-5-39;

(11) a following too closely fee under IC 33-37-5-40;

(12) a reckless driving fee under IC 33-37-5-41;

(13) an unsafe lane movement fee under IC 33-37-5-42;

(14) a yield sign violation fee under IC 33-37-5-43;

(15) an improper turn at intersection fee under IC 33-37-5-44;

(16) a driving left of center fee under IC 33-37-5-45;

(17) an offense relating to controlled substances while using a motor vehicle fee under IC 33-37-5-46;

(18) a passing in a no passing zone fee under IC 33-37-5-47;

(19) a driving on the wrong side of the road fee under IC 33-37-5-48;

(20) a driving the wrong way on a one-way road fee under IC 33-37-5-49;

(21) an improper passing fee under IC 33-37-5-50;

(22) an open container fee under IC 33-37-5-51;

(23) an improper passing to the left of the center line fee under IC 33-37-5-52;

(24) an operating a vehicle with a controlled substance fee



1 under IC 33-37-5-53;
2 (25) an operating a vehicle while intoxicated resulting in
3 injury fee under IC 33-37-5-54;
4 (26) a failure to stop at an accident fee under IC 33-37-5-55;
5 and
6 (27) a zero tolerance for individuals under the age of
7 twenty-one (21) who drive under the influence fee under
8 IC 33-37-5-56;
9 for deposit in the trauma care hospital fund established by
10 IC 16-21-10-2.

